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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,172	09/27/2000	Curt L. Cotner	STL920000080US1	6856

24852 7590 05/21/2003

INTERNATIONAL BUSINESS MACHINES CORP  
IP LAW  
555 BAILEY AVENUE , J46/G4  
SAN JOSE, CA 95141

EXAMINER .

SNYDER, DAVID A

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 05/21/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/672,172

Applicant(s)

COTNER ET AL. 

Examiner

David A Snyder

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 September 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6, 9-11, 14, 17-19 and 22 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 7, 8, 12, 13, 15, 16, 20, 21, 23 and 24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Information Disclosure Statement*

1. The information disclosure statement (IDS), submitted on 27 Sep 2000, is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### *Drawings*

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: item 240 of Fig. 2. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Specification*

3. The abstract of the disclosure is objected to because the overall length is over 150 words. Correction is required. See MPEP § 608.01(b).

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 9, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greenfield (USPN 4,931,928) in view of Cline et al. (USPN 5,313,616; hereafter referred to as Cline).

As per claims 1, 9, and 17, Greenfield discloses, “scanning and parsing source code . . . to determine static information” (Greenfield, col. 3, ll. 34 – 41);

Greenfield also teaches, “storing the static information in a database” (Greenfield, col. 3, ll. 41 – 45);

Greenfield also discloses, “developing relationships and dependencies responsive to the . . . information stored in [the] database” (Greenfield, col. 5, ll. 32 – 40);

Greenfield also teaches, “storing the relationships and dependencies in the database” (Greenfield, col. 3, ll. 41 – 45);

Greenfield also teaches, “query[ing] of the database to produce a set of potential candidates of computer program code” (Greenfield, col. 3, line 66, to col. 4, line 2);

Greenfield does not expressly disclose the “collecting dynamic information concerning the computer program during an execution of the computer program code” and “storing the dynamic information in [a] database.” However, Cline does disclose collecting run-time information for a program compiled from source code (Cline, col. 15, ll. 52 – 55). Thus, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art that the static analysis of Greenfield is only half of the whole run-time profile of a program – a whole profile which can be provided by Cline. One of ordinary skill in the art would have been motivated to do this in order to gather a complete static and run-time analysis of a given program.

As per claims 2, 10, and 18, as applied to claims 1, 9, and 17 above, the Examiner takes Official Notice that a program, interactive with an user and a database, would allow an user to modify and/or manipulate a query to be dispatched to a database. Thus, at the

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time the invention was made, it would have been obvious to a person of ordinary skill in the art that a query, dispatched to a database by an user, could be 'relaxed', expanded, or constricted query selection parameters – depending on what the user at the query interface enters. One of ordinary skill in the art would have seen that the selection criteria of a query would be entirely dependent on the input of the user and, therefore, would allow the user, by means of an interactive or threshold limit query input/generation unit, to determine if query criteria should or could be expanded or restricted.

As per claims 3, 6, 11, 14, 19, and 22 as applied to claims 2, 10, and 18 above, Greenfield discloses, "identifying a portion of the computer program code as a . . . database stored procedure" or a "Web-enabling interface call"(Greenfield, col. 17, ll. 63 – 68).

*Allowable Subject Matter*

6. Claims 4, 5, 7, 8, 12, 13, 15, 16, 20, 21, 23, and 24 objected to as being dependent upon rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Neither Greenfield, Cline, Devanbu (USPN 5,909,577), nor Whatley (USPN 6,009,271) do not expressly disclose a query for static information and dynamic information of database management system calls or program sub-routine calls. Nor do the above references expressly disclose a query for transaction call or source code without screen output code.

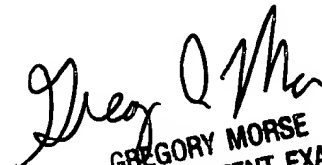
Any inquiry concerning this communication or earlier communications from the examiner should be directed to David A Snyder whose telephone number is (703) 305-7205. The examiner can normally be reached on Monday - Friday from 9am - 5pm Eastern Time.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg A Morse can be reached on (703) 308-4789. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

dAs  
May 15, 2003

  
GREGORY MORSE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100